

FEB 02 2010

LAWRENCE K. BAERMAN, CLERK
ALBANY

Alleged “Case-no.2008-4034”

Tacit Procurement



IN FACT, Steward commands that alleged "Plaintiff" provide a autographed (signed) receipt of such alleged service and if alleged "Plaintiff" fails to provide Lawful evidence it will be deemed your tacit procuration of improper service, False Statements, Concealment, FRAUD "upon the court" and that no such mailing location exists in fact, and

3. on the (commercial date 7/21/2009) Lenore Goldfeder duly sworn claims she is employed as a Legal Assistant of Stein, Wiener & Roth, L.L.P. and she served "NOTICE OF MOTION (said motion returnable on "8-11-2009"), AFFIRMATION IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT AND THE APPOINTMENT OF A REFEREE TO COMPUTE, MEMORANDUM OF LAW, R.J.I. AND ORDER GRANTING SUMMARY JUDGMENT AND APPOINTING A REFEREE TO COMPUTE" upon Steward at a purported address of "80 Pancake Hollow Road Highland, NY 12528", by filing an Affidavit of Mailing, Steward commands strict proof and evidence thereof, and

IN FACT, Steward commands that alleged "Plaintiff" provide a autographed (signed) receipt of such alleged service and if alleged "Plaintiff" fails to provide Lawful evidence it will be deemed your tacit procuration of Improper Service, Mail Fraud, False Statements, Concealment, FRAUD "upon the court" and that no such mailing location exists in fact, and

4. on the (commercial date 9/22/2009) Diane Accovelli duly sworn claims she is an employee of Stein & Shiedlower, L.L.P. and served "PROPOSED REFEREE'S OATH AND COMPUTATION AND NOTICE OF REFEREE'S HEARING SCHEDULED FOR October 07, 2009" upon Steward at a purported address of "80 Pancake Hollow Road Highland, NY 12528", by filing an Affidavit of Mailing, Steward commands strict proof and evidence thereof, and

IN FACT, Steward commands that alleged "Plaintiff" provide a autographed (signed) receipt of such alleged service and if alleged "Plaintiff" fails to provide Lawful evidence it will be deemed your tacit procuration of Improper Service, Mail Fraud, False Statements, Concealment, FRAUD "upon the court" and that no such mailing location exists in fact, of and

5. on the (commercial date 10/02/2009) alleged "Attorneys for Plaintiff GERALD ROTH, STEIN, WIENER & ROTH, L.L.P." alleges that a true copy of the "ORDER GRANTING SUMMARY JUDGMENT AND APPOINTING A REFEREE TO COMPUTE" was served upon Steward at a purported address of "80 Pancake Hollow Road Highland, NY 12528", Steward commands strict proof and evidence thereof, and

IN FACT, Steward commands that alleged "Plaintiff" provide a autographed (signed) receipt of such alleged service and if alleged "Plaintiff" fails to provide Lawful evidence it will be deemed your tacit procuration of Improper Service, Mail Fraud, False Statements, Concealment, FRAUD "upon the court" and that no such mailing location exists in fact, and

6. on the (commercial date 10/12/2009) NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK refused to file into alleged "case# 2008-4034" Petition to Dismiss the alleged "plaintiff's case" which clearly show in violation of New York Civil Practice Law and Rules § 19. Proceeding upon failure of claimant to file claim within six months or to appear or proceed, and See Non Prosecutur: (Latin, He does not pursue, or follow up.) *The name of a judgment rendered by a court against a plaintiff because he or she fails to take any necessary steps, in legal proceedings, within the period prescribed for such proceedings by the practice of court, and* When a judgment of *non prosecutur* is entered against the plaintiff, he or she has failed to properly pursue the lawsuit and cannot subsequently obtain a judgment against the defendant, and A failure of such nature would result in a dismissal of the action or in a default judgment in
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favor of the "defendant", See West's Encyclopedia of American Law, edition 2, and See annexed document(s) titled

IN FACT, Steward commands that NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK provide Lawful evidence that she did not make legal determinations without authority to do so, Breach her Fiduciary Duties as an elected official, deny Steward due process in Law, if NINA POSTUPACK does not respond it will be deemed your tacit procurement of Obstruction of Justice, False Statements, Concealment, FRAUD "upon the court", Malfeasance, Conspiracy against Rights, Hate Crimes, Breach of Fiduciary Duties, and

7. on the (commercial date 11/06/2009) Steward prepared Notice of Removal to be Filed into alleged case-number 2008-4034. Steward authorized richard-enrique; (for the family-ulloa) to File Notice of Removal into alleged case-number 2008-4034. richard-enrique; (for the family-ulloa) went to STATE OF NEW YORK ULSTER COUNTY CLERKS office to file Notice of Removal and get a conforming copy which the court stamped Received Nov 6, 2009. He also filed Affidavit of Service by certified mail# 7005-3110-0003-1252-2123 to "Attorneys for alleged Plaintiff, GERALD ROTH, STEIN, WIENER & ROTH, L.L.P." and certified mail#7005-3110-0003-1252-2130 to MERS and

IN FACT, Steward has evidence that the STATE OF NEW YORK ULSTER COUNTY CLERK received the Notice of Removal to be Filed into "alleged case-number 2008-4034" and that alleged "Attorneys for alleged "Plaintiff" GERALD ROTH, STEIN, WIENER & ROTH, L.L.P." was served and received the Notice of Removal and MERS was served and received the Notice of Removal and if alleged "Plaintiff" fails to rebut it will be deemed your tacit procurement of proper service, and that you willfully and intentionally acted without authority, make False Statements, Criminal Malpractice, Concealment, did commit FRAUD "upon the court", Conspiracy against Rights, Hate Crimes, Obstruction of Justice, and

8. on the (commercial date 12/28/2009) richard-enrique; (for the family-ulloa); checked docket when at the ulster county record room and found out that the Notice of Removal that was filed Nov 6, 2009 was not entered as a minute docket entry on the docket sheet. He then decided to make copies, at his own expense, of the numerous filings into alleged case-number 2008-4034 since the Notice of Removal was filed and not made part of the record and

IN FACT, Steward believes that the NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK, alleged "Attorneys for alleged "Plaintiff" GERALD ROTH, STEIN, WIENER & ROTH, L.L.P." are acting in concert against Steward and if NINA POSTUPACK and "Attorneys for alleged "Plaintiff" fails to rebut it will be deemed your tacit procurement of Conspiracy against Rights, and that you willfully and intentionally acted without authority, make False Statements, Concealment, did commit FRAUD "upon the court", Obstruction of Justice, Malfeasance, Criminal Malpractice, and

9. on the (commercial date 01/04/2010) Carl Weston, private attorney general, ed-george; and Steward called the STATE OF NEW YORK ULSTER COUNTY CLERK's Office by conference call. We spoke with three different people (male-Paul?, woman1, Lisa) the last woman, Lisa told us she was in charge of entering civil docket entries for the county court and is located on the first floor of the county office building. Lisa further stated that "she never saw the Notice of Removal that we were calling about. We asked Lisa where the Notice of Removal is that we have stamped Received Ulster Co. Clerk's Office Nov. 06 2009 NINA POSTUPACK STATE OF NEW YORK ULSTER COUNTY CLERK. Lisa wasn't sure but she said that entire case-file was in Albany with the judge. We thought that was unusual since the county court is in ulster county not in Albany county. Lisa went on to tell us that if we

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brought the Notice of Removal back in she would see to it that it was File Stamped, entered in the docket sheet, and she takes lunch from noon-1pm and is out of her office and

10. on the (commercial date 01/05/2010) richard-enrique;(for the family-ulloa) on behalf of Steward brought the Notice of Removal that was originally Filed stamped Nov 06, 2009 back to the ULSTER COUNTY CLERK's Office to be entered as a minute docket entry on Docket sheet for alleged "case-number 2008-4034" by Lisa who said she was in charge of civil docket entries. After Richard arrived NINA POSTUPACK STATE OF NEW YORK ULSTER COUNTY CLERK refused to file on demand the Notice of Removal that she previously received, did not docket and now appears to be lost and

IN FACT, Steward commands that NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK provide Lawful evidence that she did not make legal determinations without authority to do so, Breach her Fiduciary Duties as an Elected Official, deny Steward due process in Law, if NINA POSTUPACK does not respond it will be deemed your tacit procurement of Obstruction of Justice, Breach of Fiduciary Duties, False Statements, Concealment, FRAUD "upon the court", Conspiracy against Rights, Hate Crimes, Malfeasance, Criminal Malpractice, Manipulation of "court/publick records", and

11. on the (commercial date 01/14/2010) Gerhard Burfeindt, Raymond Tompkins and richard-enrique;(for the family-ulloa) on behalf of Steward brought a certified copy of the Notice of Removal(total of twenty-two pages which includes Exhibit A- Land Description, Exhibit B- Notice of Removal that was filed with the STATE OF NEW YORK ULSTER COUNTY CLERK on Nov 6, 2009 and not entered as a minute docket entry on the docket sheet and EMERGENCY-NOTICE) which is file stamped FILED Jan 12 2010 BROOME COUNTY CLERK with MI#M021507 and Certified: State of New York Broome County Clerk's Office) ss. : I, RICHARD R. BLYTHE, Clerk of the said County and of the County Court and Supreme Court of the State of New York, appointed to be held in and for said County, being Courts of Record, having a common seal, do hereby certify that I have compared the annexed copy of Notice of Removal jeffrey-charles; burfeindt with the original thereof filed and Entered Jan 12, 2010 now remaining on file and of record in my office, and that the same is a correct and true copy, copy of said original, and of the whole thereof. IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the Seal of the said County and Courts, at the City of Binghamton, this 12 day of Jan 2010. By Rosalie A. Catalano Deputy Clerk.
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The three witnesses aforementioned went to the STATE OF NEW YORK ULSTER COUNTY CLERK's OFFICE to file on demand the Certified Copy (Publick Record) Notice of Removal described above and entered as a minute docket entry on Docket sheet for alleged "case-number 2008-4034".

NINA POSTUPACK STATE OF NEW YORK ULSTER COUNTY CLERK and ALICE LAWLIS CHIEF DEPUTY COUNTY CLERK refused to file on demand the Notice of Removal that she previously received, did not docket and now appears to be lost and went on to say "we are not taking this (Notice of Removal) and you can deal with our deputy sheriff and that's it. If you want to speak with me it goes right to my attorney."

IN FACT, Steward commands that NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK and her sister ALICE LAWLIS, CHIEF DEPUTY COUNTY CLERK, provide Lawful evidence that they did not make legal determinations without authority to do so, Breach their Fiduciary Duties as an elected/appointed official, deny Steward due process in Law, if NINA POSTUPACK and ALICE LAWLIS do not respond it will be deemed your tacit procurement of Obstruction of Justice, Breach of Fiduciary Duties, False Statements, This Is A Legal Document
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Concealment, FRAUD “upon the court”, Conspiracy against Rights, Hate Crimes, Malfeasance, Criminal Malpractice, Manipulation of “court/public records”, and

12. NINA POSTUPACK, ALICE LAWLIS, BEATRICE HAVRANEK, persons, employed by the enterprise, STATE OF, NEW YORK, COUNTY OF, ULSTER private for profit-Corporations, as a COUNTY OF, ULSTER (ULSTER COUNTY CLERK, CHIEF DEPUTY CLERK, ATTORNEY) doing business in the geographical area of ulster-county, in New York-state, did knowingly and with intent for a profit and a gain, for themselves, and the aforesaid enterprise, did commit the offenses, **Title 18 sec. 241. Conspiracy Against Rights** — When She, NINA POSTUPACK, STATE OF NEW YORK ULSTER COUNTY CLERK, and other persons ALICE LAWLIS ULSTER COUNTY CHIEF DEPUTY CLERK, BEATRICE HAVRANEK did four times refuse to file on demand Steward’s documents into a civil case docket and

13. NINA POSTUPACK, newly re-elected STATE OF NEW YORK ULSTER COUNTY CLERK and her sister, ALICE LAWLIS, CHIEF DEPUTY COUNTY CLERK refused to file on demand the Notice of Removal into “alleged civil case number 2008-4034 in SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF ULSTER”. IN FACT on or about Nov 06, 2009 the Notice of Removal was accepted for filing, stamped received, and never entered in the case docket. On or about “01-04-2010” Lisa, “the civil actions clerk for SUPREME COURT OF THE STATE OF NEW YORK C OUNTY OF ULSTER” stated to Steward, Carl Weston and ed-george; that she has never seen the Notice of Removal to docket. THEREFORE sixty-days (60) have passed and the PERSON (Lisa) responsible for entering filings (evidence) was never given Steward’s Notice of Removal to docket. By these actions alone NINA POSTUPACK, ALICE LAWLIS, RICHARD PLATKIN (JUDGE), GERALD ROTH, MERS were served the Notice of Removal and willfully and intentionally did (commit): Oppress, Hinder Steward, did create, obstacles to prevent Steward(the people)from exercising remedies by the due course of law, **malfeasance and criminal malpractice**, Obstruction of Justice (United States Code Title 18-1505), manipulating the record, whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and shall be disqualified from holding any office under the United States (United States Code Title 18, Chapter 101-2071(b),

14. Steward; avers that; all “alleged documents” from “alleged plaintiff” in regards to “alleged case 2008-4034” that claim to be served to purported (address) “80 Pancake Hollow Road Highland, N.Y. 12528” are FRAUD since Steward or a authorized representative is not at that purported address nor does Steward believe any documents (mail) was received there and Steward command strict proof otherwise, and

15. Steward; avers that; all “alleged documents” from “alleged plaintiff” in regards to “alleged case 2008-4034” that claim to be served to purported (address) “80 Pancake Hollow Road, P.O. Box 943 Highland, N.Y. 12528” are FRAUD since Steward or a authorized representative is not at that purported address nor does Steward believe any documents (mail) was received there and Steward command strict proof otherwise, and

16. Steward; avers that; all “alleged documents” from “alleged plaintiff” in regards to “alleged case 2008-4034” that claim to be served to purported (address) “80 Pancake Hollow Road Highland, N.Y. 12528” are FRAUD since Steward has not seen evidence of a autographed (signed) return receipt nor does Steward believe one exists and command strict proof thereof, and

17. Steward; avers that; the purported (address) “80 Pancake Hollow Road” does not exist and Steward commands strict proof otherwise, and



18. Steward; avers that; the purported (address) "80 Pancake Hollow Road, P.O. Box 943" does not exist and Steward commands strict proof otherwise, and

19. Steward; avers that; MARK KROHN is aiding and abetting criminal activity and Steward believes that MARK KROHN can't prove otherwise, and

20. Steward; avers that; service of process was not made according to Law and Steward commands strict proof otherwise, and

21. Steward; avers that; due process violations are continual Steward commands strict proof otherwise, and

22. Steward; avers that; FRAUD is upon the "court" Steward commands strict proof otherwise, and

23. Steward; avers that; the STATE OF, NEW YORK does business as the NEW YORK STATE UNIFIED COURT SYSTEM Steward commands strict proof otherwise, and

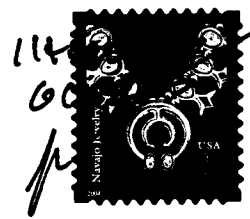
24. Steward; avers that; the NEW YORK STATE UNIFIED COURT SYSTEM does business as "COUNTY COURTS" and "SUPREME COURT" Steward commands strict proof otherwise, and

25. **The persons doing business as NINA POSTUPACK, STATE OF, NEW YORK, ULSTER COUNTY CLERK, ALICE LAWLIS (CHIEF DEPUTY COUNTY CLERK), BEATRICE HAVRANEK, ESQUIRE, all employed at the "COUNTY OF ULSTER" 244 Fair Street Kingston, New York 12401, GERALD ROTH, ESQUIRE, STEIN, WIENER & ROTH "alleged Attorneys for the alleged Plaintiff" One Old Country Road, Suite 113 Carle Place, New York 11514, PAUL M. QUARTARARO, ESQUIRE, QUARTARARO & QUARTARARO, PLLC "alleged Attorney for the alleged Plaintiff" 1399 Route 52, Suite 101 Fishkill, New York 12524, HUDSON VALLEY FEDERAL CREDIT UNION "alleged Plaintiff" 159 Barnegat Road Poughkeepsie, New York 12601, BRENDA DITOMMASO 159 Barnegat Road Poughkeepsie, New York 12601, STATE OF, NEW YORK a/k/a, d/b/a SUPREME COURT OF THE STATE OF, NEW YORK, COUNTY OF, ULSTER, ANDREW M. CUOMO, ESQUIRE, d/b/a, Law Firm representing the STATE OF, NEW YORK The Capitol Albany, New York 12224, MARK KROHN, ESQUIRE, 158 Orange Avenue, Post Office Box 367 Walden, New York 12586, LENORE GOLDFEDER and DIANE ACCOVELLI alleged employees STEIN, WEINER & ROTH, L.L.P. One Old Country Road, Suite 113 Carle Place, New York 11514, are Associates in fact, and**

26. All statements (facts) herein not rebutted under Truth (Perjury) within twenty-one days on a Point-by-Point basis will be deemed truth, and fact in this matter, and

27. Notice to Principal is Notice to Agent and Notice to Agent is Notice to Principal

I receive post and no mail. No other wording (listing) other than the post-location written directly below autograph in blue letters only will be considered 'legal' or 'lawful', nor will any items sent to "the man called jeffrey-charles:" directly or indirectly, at any location other than the post-location exactly as shown above, using american postage-stamp(s), shall be considered delivered, sent, serviced, served or given notice pertaining to this case..



28. All facts set forth in one (1) through twenty-seven(27) above are incorporated herein by reference as fully stated herein, and

**Affidavit by Victim and Witness of Criminal Activity Perpetrated Against Me by
STATE Officials Acting Under Color of STATE LAW**

I hereby declare under the Laws of The **Father In Heaven**, our Creator, **Matthew 5:37** "But let your word 'Yea' be 'Yea', and your 'No' be 'No' and what goes beyond these is from the wicked one" and **James 5:12** "But above all, my brothers, do not swear, either by the heaven or by the earth or with any other oath. But let your Yea be Yea, and your No, No, lest you fall into judgment."

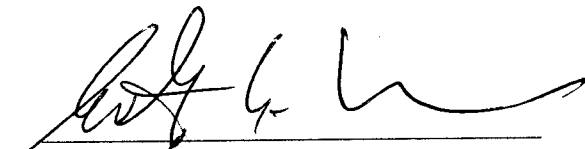
The foregoing, accounting of facts, are true and correct to the best of my knowledge and belief. If a fact stated herein, are proved wrong by facts, law, and evidence, I reserve the right to "Amend" this document for the "truth" to be clearly stated.

Further **Steward** (Affiant) saith naught,



jeffrey-charles; burfeindt.
c/o: postal department 771:
stone ridge: new-york.
(201)428-3116

Witnessed by my hand and official seal,


Notary Public State of New York

STANLEY A. ACKERMAN
NOTARY PUBLIC-STATE OF NEW YORK
No. 01AC4770507
Qualified in Ulster County
My Commission Expires March 30, 2010

My commission Expires: MARCH 30, 2010

Date: JANUARY 30, 2010